

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TARA EDWARDS,

Plaintiff,

v.

SCRIPPS MEDIA, INC., d/b/a
WXYZ-TV, a Foreign Profit Corporation,

Defendant.

Case No: 18-10735

Hon. Paul D. Borman

Magistrate Judge:
Elizabeth A. Stafford

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**Stipulated Order to Resolve Defendant's Motion to Compel Plaintiff to Sign
Authorizations for Release of Medical Information, And for Rule 37 Sanctions**

WHEREAS, Defendant Scripps Media, Inc., d/b/a WXYZ-TV (“WXYZ”) filed a Motion to Compel Plaintiff to Sign Authorizations for Release of Medical Information, And for Rule 37 Sanctions (R. 83);

WHEREAS, Plaintiff Tara Edwards and Defendant WXYZ have reached an agreement to resolve the issues raised in the motion, conditioned upon entry of an order by the Court setting forth the terms of that agreement, set forth below;

IT IS HEREBY ORDERED:

1. Plaintiff, within 10 days of the entry of this Order, will sign/notarize and deliver to WXYZ’s counsel the original HIPAA releases for (1) Peter Cousins, Ph.D.; (2) Lowell Paul, M.D.; (3) Henry Ford Health System; (4) University of Michigan Health System; (5) Mark Werner, MD; (6) Stephen Pravel, PhD; (7) any other medical or mental health professional, without limitation, who Plaintiff visited for emotional or mental illnesses/conditions at any time; and (8) any other medical or mental health providers, without limitation, that Plaintiff has visited for any reason since April 9, 2008. The HIPAA releases, however, will not contain any date or subject-matter limitation on the records that may be provided.
2. Documents obtained from these providers via subpoena will be marked “Confidential – Medical Records.” These documents will be subject to the existing confidentiality order (R. 22), except that—Paragraph 3.a of that

Order notwithstanding—the only employees of WXYZ who may review the subpoenaed documents are Defendants’ in-house counsel and staff (*e.g.*, paralegals or legal secretaries). This paragraph does not otherwise modify the existing confidentiality order, including the persons identified in Paragraphs 3.b through 3.g authorized to view Confidential Information.

3. WXYZ will provide Plaintiff with copies of any materials received via subpoena within five business days of receiving the materials.

4. WXYZ may provide its Rule 35 expert report on or before May 3, 2019.

The deadline for both parties to depose the opposing party’s expert will be August 5, 2019. The parties’ motions challenging experts will be due September 15, 2019.

5. WXYZ’s pending motion is withdrawn, including the request for sanctions, without prejudice to WXYZ’s ability to renew its request for sanctions if this order is violated.

IT IS SO ORDERED.

Dated: January 29, 2019

s/Elizabeth A. Stafford
Hon. Elizabeth A. Stafford
U.S. Magistrate Judge

The above order is stipulated to as to form and content:

MORGAN & MORGAN, P.A.

KIENBAUM HARDY VIVIANO
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By: s/Michael N. Hanna with permission

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Dated: January 28, 2019

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